

REMARKS

Claims 1, 2, 11, 12, 14, and 21 have been amended. Claims 3 and 15 have been cancelled. Claims 1, 2, 6-14, and 17 - 23 are pending in the present application. Claims 1, 11, 12, and 21 are independent.

Claim 1 has been amended to particularly recite "a mating structure for releasably retaining the peripheral device such that a charging contact of the peripheral device is in direct physical and electrical contact with the mobile device retained in the sleeve".

Independent claim 11 has been similarly amended to recite "a mating structure for releasably retaining the peripheral device in direct physical and electrical contact with the mobile device when retained in the sleeve".

Claim 12 has been amended to similarly recite "the charging port and charging contact are in direct physical and electrical contact so as to allow the mobile device to charge the battery of the peripheral device".

Independent Claim 21 has also been amended to recite, "a charging contact for providing a charge to the battery when placed in direct physical and electrical contact with a charging port of the mobile device".

Claim 2 has been amended for the purpose of consistency with Claim 1. Similarly, Claim 14 has been amended for the purpose of consistency with Claim 12.

No new subject has been added.

CLAIM REJECTION UNDER 35 U.S. C. § 102(a)

Claims 21 and 22 have been rejected under Under 35 U.S. C. § 102(a) as the Examiner asserts that these claims are anticipated by German Patent Document DE 10134830 A1 to Christal. In rejecting Claim 21, the Examiner asserts that Christal teaches a charging contact for providing a charge to the battery when placed in direct electrical contact with a charging port of a mobile device so as to permit the mobile device to charge the battery in the peripheral device. The Applicant respectfully traverses the Examiner's rejection and submits the following for the Examiner's consideration.

Claim 21 has been amended to recite "a charging contact for providing a charge to the battery when placed in direct physical and electrical contact with a charging port of the mobile device so as to permit the mobile device to charge the battery in the peripheral device". It is clear from Claim 21 that the peripheral device includes a charging contact for providing the charge to the battery when placed in direct physical and electrical contact with the charging port of the mobile device.

German Patent Document DE 10134830 A1 to Christal teaches the use of intermediary electrical conductors for electrical contact of the mobile device with the peripheral device. Thus, the mobile device and the peripheral device are not in direct physical contact with each other. Furthermore, the electrical contacts shown in Figure 2C, a portion of which is shown in Figure 2B, are clearly part of the holding device and are not part of the peripheral device. This is clear from the description of, for example, Figure 2B which clearly states "in the Fig. 2b has represented this holding device without the mobile telephone 2 and without the microphone headphone unit 3". Figure 2B, however, clearly shows the electrical contact 14 which forms part of the electrical conductors 19. Thus, the electrical conductors shown in the German Reference are clearly not part of the peripheral device for wireless communication with the mobile device. It is therefore believed that the Christal reference cannot possibly anticipate claim 21 of the present application.

Claim 22 includes all the limitations of independent 21 and, accordingly, it is believed that this claim also fully distinguishes over the cited reference.

CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1- 3, 6-9, 11-20, and 23 have been rejected under under 35 U.S.C. §103(a) as the Examiner asserts that these claims are unpatentable over the Christal reference in view of Korean Patent Document KR 2002041098A to Kim. The claims have been amended and it is believed that as amended, these claims now fully distinguish over the cited references.

As indicated above, claim 1 has been amended to recite "a mating structure for releasably retaining the peripheral device such that a charging contact of the peripheral device is in direct physical and electrical contact with the mobile device retained in the sleeve". Thus, it is clear from amended claim 1 that the charging contact is part of the peripheral device and the charging contact is in direct physical and electrical contact with the mobile device retained in the sleeve so as to permit the mobile device to charge a battery in the peripheral device through the charging contact of the peripheral device.

As indicated above, the Christal reference teaches that the charging contacts of the peripheral device are connected to electrical contacts of the mobile device only through intermediary electrical conductors of the holding device. Again, this is clear from Figures 2B and 2C and the related description. Thus, there is no teaching or suggestion of a charging contact of the peripheral device being in direct physical and electrical contact with the mobile device.

Korean Patent Reference KR 2002041098A to Kim teaches the use of an intermediary connector such as a cable having a jack for attaching a cellular phone and a cordless headset. While Kim teaches the use of such a connector for charging the battery in the peripheral device from the battery of the mobile device, Kim fails to teach or suggest a charging contact of the peripheral device being in direct physical and electrical contact with the mobile device. Instead, the intermediary connector is used.

Thus, neither of the cited prior art references teach or suggest a mating structure for releasably retaining the peripheral device such that a charging contact of the peripheral device is in direct physical and electrical contact with the mobile device.

Instead, both prior art references teach the use of intermediary conductors. Further still, there is no direct physical contact between any part of the peripheral device and the mobile device in either of the cited references.

Based on the foregoing, it is submitted that there is no possibility of combining the prior art references to arrive at the present invention as claimed in independent claim 1.

Independent claim 11 has been amended to recite "a mating structure for releasably retaining the peripheral device in direct physical and electrical contact with the mobile device when retained in the sleeve so as to permit the mobile device to charge a battery in the peripheral device". Thus, claim 11 clearly recites that the peripheral device is in direct physical and electrical contact with the mobile device when the mobile device is retained in the sleeve.

By contrast, the Christal reference teaches only the electrical connection of a mobile device to a peripheral device through the use of intermediary electrical conductors that are part of the holding device. There is clearly no physical contact between the peripheral device and the mobile device.

Similarly, the Kim reference teaches the use of an intermediary connector (30) such as a cable having a jack for connecting a cell phone to a cordless headset. Again, there is no teaching or suggestion of a mating structure for releasably retaining the peripheral device in direct physical and electrical contact with the mobile device when retained in the sleeve.

Since neither of the cited references teach or suggest a mating structure for releasably retaining the peripheral device in direct physical and electrical contact with the mobile device when retained in the sleeve, it is submitted that these cited references cannot possibly be combined to arrive at the invention as claimed in independent claim 11.

Independent claim 12 has been amended to recite as follows:

A system for mobile communications comprising:

 a mobile device, for connecting to a network providing voice services, having a charging port;

a peripheral device for wireless communication with the mobile device, the peripheral device having both a battery and a charging contact; and

a holster for receiving and retaining both the peripheral device and the mobile device so that the charging port and charging contact are in direct physical and electrical contact so as to allow the mobile device to charge the battery of the peripheral device.

Thus, it is clear that the peripheral device has a battery and a charging contact. It is also clear that the holster is for receiving and retaining both the peripheral device and the mobile device so that the charging port and charging contact (which is part of the peripheral device) are in direct physical and electrical contact

Again, the cited Christal reference fails to teach or suggest the holster or any similar device for receiving and retaining both the peripheral device and the mobile device such that a charging port of the mobile device is in direct physical and electrical contact with a charging contact of the peripheral device. Instead, an intermediary conductor that is part of the holding device is used for electrical connection of contact of the mobile device with contact of the peripheral device. The contacts referred in 4C are clearly contacts of the intermediary conductor and, as shown in Figure 2B, are part of the holding device.

Thus, the cited Christal reference fails to teach or suggest a peripheral device having a charging contact and a holster for receiving and retaining both the peripheral device and the mobile device so that the charging port and charging contact are in direct physical and electrical contact.

The Kim reference fails to cure the deficiencies of the Christal reference as the Kim reference clearly teaches the use of a connector for connecting the cellular phone with the cordless headset.

It is therefore submitted that claim 12 fully distinguishes over the cited references.

Claims 2, 6-9, 13, 14, 17-20 and 23 include at least all of the limitations of one of independent claims 1, 11, and 12 and accordingly, it is believed that these claims fully distinguish over the

cited references for at least the same reasons that claims 1, 11, and 12 are believed to distinguish over the cited references.

Claims 3 and 15 have been cancelled and accordingly, the Examiner's rejection of these claims is now moot.

Claim 10 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the Christal and Kim references as applied to claim 1 and further in view of United States Patent Application 2004/0116161A1 to Grivas et al.

As indicated above, the Christal and Kim references fail to teach or suggest a mating structure for releasably retaining the peripheral device such that a charging contact of the peripheral device is in direct physical and electrical contact with the mobile device. The Grivas reference fails to cure the deficiencies of the Christal and Kim references. In particular, the Grivas reference teaches the use of an intermediary connector between a camera peripheral device and a mobile device, as clearly shown in Figure 1. It is therefore believed that the claims on file fully distinguish over the cited Grivas reference when taken alone and when combined with the cited Christal and Kim references.

Based on the foregoing amendments and remarks, it is believed that this application is now in condition for allowance and early notification thereof is respectfully requested.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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